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FROM: Christine A. Gritzmacher
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TO: Examiner: WHISENANT, Ethan C.
Group 1634

U.S. Patent & Trademark Office
Facsimile No. (571) 273-8300

Number of pages (including this cover page): 9

In re Patent Application of:)	Group Art Unit: 1634
BEE <i>et al.</i>)	Examiner: WHISENANT, E.C.
Serial No.: 10/632,658)	Atty. Docket No. GP103-03.DV1
Filed: August 1, 2003)	Confirmation No.: 3579
For: DETECTION OF HIV-1 BY NUCLEIC ACID AMPLIFICATION)	

Transmitted herewith are the following documents:

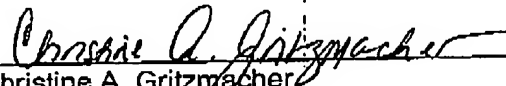
- 1) Transmittal Form PTO/SB/21 - 1 pg., and
- 2) Response to Notice of Non-Compliant Amendment (7 pgs.).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 571-273-8300 on the date indicated below addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 27, 2006

By:


Christine A. Gritzmacher
Reg. No. 40,627
Attorney for Applicants

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number	10/632,658
Filing Date	Aug. 1, 2003
First Named Inventor	BEE et al.
Art Unit	1634 / Conf. No. 3579
Examiner Name	WHISENANT, Ethan C
Attorney Docket Number	GP103-03.DIV1

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

Response to Notice of Non-Compliant Amendment is related to the Amendment filed Jan. 9, 2006. For any fee due in connection with this communication, authorization is hereby provided to debit the amount due from Deposit Account No. 07-0835, maintained in the name of Gen-Probe Incorporated.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gen-Probe Incorporated		
Signature	<i>Christine A. Gritzmacher</i>		
Printed name	Christine A. Gritzmacher		
Date	January 27, 2006	Reg. No.	40,627

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Christine A. Gritzmacher</i>		
Typed or printed name	Christine A. Gritzmacher	Date	January 27, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 27 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Group Art Unit: 1634
BEE <i>et al.</i>)	
)	Confirmation No. 3579
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)	Examiner: WHISENANT, Ethan C.
Filed: August 1, 2003)	
)	Attny. Docket No. GP103-03.DV1
For: DETECTION OF HIV-1 BY NUCLEIC)	
ACID AMPLIFICATION)	

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office communication mailed January 23, 2006, for which this response is timely filed, Applicants request entry of the revised amendments to the claims section of the amendment filed on January 9, 2006, and reconsideration of the pending application.